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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,920	01/13/2004	David J. Koester	06005/39277	5159
4743	7590	01/05/2006	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			FRISTOE JR, JOHN K	
			ART UNIT	PAPER NUMBER
			3751	

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/756,920	Applicant(s) KOESTER, DAVID J.	
	Examiner John K. Fristoe Jr.	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-8, 10, 12, 16, 17 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-8, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 10, 12, 16, 17 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 12/12/2005 have been fully considered but they are not persuasive. Applicant first argues that there is no motivation within Dvorak et al. to thread the seat ring into the valve body since the seat ring is held in place by the bonnet, the examiner disagrees. One of ordinary skill in the art of valve design would know that a seat ring could be held in place by threading the seat ring into the valve body, especially after being taught to do so from the seat ring connection shown in Kieren. Applicant further argues that elimination of the seat ring retention parts would require a complete redesign of the seat ring of Dvorak et al., the examiner disagrees. It is the examiner's position that a redundant system could be used within the seat ring wherein the seat ring is threaded into the valve body as taught by Kieren and further held in place by the retention parts disclosed in Dvorak et al. Applicant also argues that the seat ring assembly of Dvorak et al. cannot be considered a unitary body, the examiner agrees and has not applied the Dvorak et al. reference to the claims that recite this unitary feature. Any changes to the following rejections from the previous Office action were necessitated by Applicant's amendment and therefore the instant Office action has been made final.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 10, 12, 16, 17, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,765,814 (Dvorak et al.) in view of U.S. Pat. No. 828,216 (Kieren). Dvorak et al. discloses the above described control valve seat ring assembly and method of assembling the control valve further comprising a valve body (seen in figure 18), an inlet (16), an outlet (18), a valve chamber (between inlet 16 and outlet 18), a valve plug (20), a valve stem (22), a seat ring (26), the seat ring (26) having a first end (the top portion of element 26 in figure 18) and a second end (the bottom portion of element 26 in figure 18), wherein the seat ring has a wall (portion of the seat ring adjacent the bushing in figure 2), the control valve is unbalanced (there are no balancing paths within valve plug 20 in figure 18), wherein the seat (26) is fastened to the body (figure 18) with no gaskets, wherein the seat ring (26) has a bore having a bushing (seen in figure 18 above element 20), wherein the valve plug (20) engages the bushing (the extension of the plug 20 in figure 18), at least one aperture through the seat ring wall (adjacent the sides of element 20 in figure 18) that are a predetermined shape (all holes that are machined in a housing are a predetermined shape), wherein the valve plug is cylindrical (figure 18) having a nose portion (bottom of element 20) that produce desired flow characteristics, wherein the seat ring (26) is inserted into the valve body (figure 18), a securing a bonnet (surrounding stem 22 in figure 18) with threaded fasteners (figure 1), wherein the control valve is post guided (extension of plug 20), and wherein the seat ring (26) is hollow (figure 18) but lacks the seat ring threaded into the valve seat. Kieren teaches a control valve comprising a seat ring (4) threaded (figure 1) into the valve seat (3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the control valve of Dvorak et al. by threading the seat ring

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into the valve seat as taught by Kieren in order to more securely fasten the seat ring into the control valve.

*Allowable Subject Matter*

4. Claim 2-8, 19, and 20 are allowed.

*Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

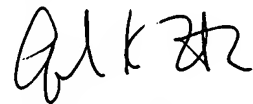
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John K. Fristoe Jr. whose telephone number is (571) 272-4926. The examiner can normally be reached on Monday-Friday, 7:00 a.m.-4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine R. Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John K. Fristoe Jr.  
Examiner  
Art Unit 3751

JKF



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1/4/06